

NO HARVEST FOR THE REAPER

The Story of the Migratory Agricultural Worker
in the United States



HERBERT HILL

Text

GEORGE MOFFETT

Photographs

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE • 20 West 40 Street • New York 18, N. Y.

NAACP Hits Report Clearing Work Camps

The NAACP today challenged Gov. Harriman's statement that investigation of migrant labor camps indicated "no

Negro Describes N.Y. Field Slavery

By the Associated Press

AUGUSTA, Ga., Aug. 29.—A 39-year-old college graduate says he has seen "the worst kind of slavery" in the state.

STATE OPENS INQUIRY ON PEONAGE CHARGE

ALBANY, Aug. 29 (AP).—The State Labor Department today began an inquiry into a Georgia charge that he and twenty-two other Negroes had been held in virtual peonage at a migrant labor camp in up-State New York. But the department ran into trouble trying to locate the camp.

Charge Upstate Farms Break Law on Negro Migrant Labor

By TED POSTON 1/16/57 Post

The NAACP charged today that Negro migrant workers are being held in virtual peonage on some upstate farms and that children as young as 9 are working there in violation of state law.

The charges were made by Herbert Hill, NAACP labor director, and Rev. Latta R. Thayer, president of the Elmira branch, at a hearing in the Hill County Commission's "Our State" agricultural law conference today. The conference was held at the State Labor Department, where workers from various parts of the state are being trained in labor practices by workers from the State Labor Department. The conference is being held to discuss the "Migrant Laborers' Bill," which would provide for the investigation of labor practices and the enforcement of the Federal Migrant Labor Law. The bill would also provide for the investigation of labor practices and the enforcement of the Federal Migrant Labor Law.

NAACP Prepares Blueprint For Migrant Labor Cleanup

Harriman Reverses Himself, Orders Migrant-Labor Probe

The State Labor Department today has ordered a probe into the charges made by the NAACP. The department is now conducting an investigation into the charges made by the NAACP. The department is now conducting an investigation into the charges made by the NAACP.

NAACP Charges 'Concentration Camp'

'Slave Racket' in State Migrant Labor Camps

Herbert Hill, labor director of the Advancement of Colored People, in an address to the National Association for the Advancement of Colored People in a letter to Gov. Harriman, described one of the state's migrant labor camps as a "concentration camp" and a "slave racket".

NAACP Again Attacks Cornell

By WALTER CARROLL
The National Association for the Advancement of Colored People in a letter to Gov. Harriman, has charged it was denied a Cornell University professor's report on the use of migratory labor in the state.

Thomas of Cornell conducted the investigation and a news release concerning his report was given to newspapers this month. Hill said The New York Times quoted Dr. Thomas as saying "50 to 100 of the state's 1,000 migrant labor camps are excellent, 750 to 1,000 are poor, and the remainder un-

national Assn. for 10 migrant labor camps in Onondaga, Chemung, Cayuga and Steuben Counties.

Thomas, who in the past functioned as an advisor to the New York State Legislative Committee on Migratory Labor,

to Harriman. "NAACP investigations made last summer in several upstate New York counties were responsible for widespread attention to abuses suffered by Negro farm workers and their families brought to the state."

Hill said news of the report was given to the press.

Negro Renews Charges \$6 Pay in 6 Weeks at Migrant Labor Camps

By HOWARD SEIVIS
H. Brunson, 37-year-old Georgia Negro who has conditions at an upstate labor camp, says he is paid only \$6 in cash for a half he works in the summer.

He said this state's "worse than previous conditions" at the state-run camps by "W.P.T.R. contractors" were not brought to the attention of the state by armed men.

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The Knickerbocker News Photo
Augusta, Ga., reiterates his charges—James H. Brunson, migrant workers in upstate New York at a press conference at the studios of radio station WPTR yesterday. Newsman at right is Howard Lewis of The Knickerbocker News staff.

legislature passed a law requiring

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Charge N.J. Migrant Neg

to the New York Post
J. N. J., May 29—paying them \$7 a week. State Child Labor Act. Gus Ja. takes the taken into State Troop had com-

20TH CENTURY REVEALED B

NEW YORK—America's migrant farm workers, called "20th Century Slavery," are being underpaid, miserably fed and cruelly exploited.

In a feature article, titled "Our Miserable Million," the new issue of Coronet reveals that the migrant farm workers who come up from South Eastern States, Texas and California to hand gather multi-million dollar crops live and work in conditions that are almost unbelievable.

Large families are crammed together in converted chicken sheds, unheated and partitioned into tiny cubicles. Mattresses and sheets are filthy and latrines are usually stoppied-up. Electricity and plumbing are slight, or non-existent.

*" . . . Behold, the wages of the laborers who mowed your fields,
which you kept back by fraud, cry out; and the cries of the
harvesters have reached the ears of the Lord of Hosts. . . ."*

James 5:4

Revised Standard Version

The lowest group in the American social order, of course, are the migratory workers. They are the lowest paid, the most insecure, the most poorly housed, the most socially declassed and the most ignored. There is no political mileage in defending them; they are very hard to help—because they move about so rapidly: they are ignored by the American labor movement, ignored by the politicians, but badly in need of defense.—*Senator Paul H. Douglas, December 13, 1958—Speech at Tamiment Institute, Tamiment, Pennsylvania.*



Single copy 50¢; prices for quantity orders available on request.

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Photographs

with an

INTRODUCTION

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ROY WILKINS

Executive Secretary

National Association for the Advancement
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THE PROBLEMS OF THE NEGRO farm worker have always been an important concern of the National Association for the Advancement of Colored People. As Negro agricultural labor increasingly becomes migratory the Association's concern has been turned to the pattern of exploitation and discrimination which characterizes migratory farm labor in the United States today. It is interesting to note that in December, 1910, in the second issue of *The CRISIS Magazine*, official publication of the NAACP, (Vol. 1—No. 2), there appears a description of the operation of "several southern laws which have reduced Negro farm hands to virtual peonage" and a report of the request to the U. S. Department of Justice "urging vigorous action to eliminate abuses." My own memory reaches back into the early thirties when as Assistant Secretary of the Association I addressed a conference of sharecroppers in Arkansas and later inspected labor camps and working conditions.

The Annual Reports of the Association's activity for the past fifty years clearly indicate a broad involvement in this area of work. The NAACP has conducted numerous investigations in many states, has called for Federal and state action, has secured the passage of remedial legislation by some state governments and has been responsible for more effective enforcement of child labor and other social welfare laws. The record of the past half-century recalls the appearance of NAACP representatives before congressional and state legislative hearings where the reports of our on-the-spot investigations were presented, of providing legal assistance to sharecroppers and tenant farmers and of organizing conferences and action projects on behalf of migratory farm laborers.

As the streams of migratory farm workers have swelled during the past decade the NAACP has focused national attention upon the many injustices suffered by the migratory worker, especially the aspects of economic exploitation, abuses of child labor and civil rights violations.

The element of racial bias is frequently an important factor not only in the treatment of migratory farm workers who are essential to the agricultural economy of the entire nation, but also in the attitudes of many public agencies charged with the responsibility of enforcing the law and preventing abuses. On at least one infamous occasion racial prejudice was

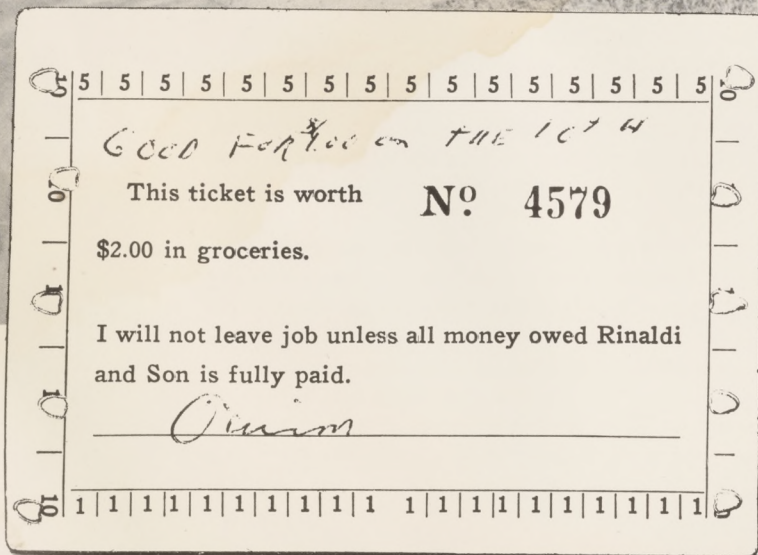
sharply expressed in an official report of a state legislative committee ostensibly investigating migrant labor conditions.

On September 11, 1953, in Rochester, New York, a spokesman for the NAACP, in the course of presenting testimony before an official state legislative inquiry, protested in the strongest terms the annual report of the New York State Joint Legislative Committee on Migrant Labor with specific reference to that portion entitled *THE NEGRO FAMILY*. Herbert Hill, NAACP labor secretary, on behalf of the Association's national office, stated: "This portion of the report is a shoddy collection of gross historical distortions and unmitigated falsehoods and constitutes a vicious attack upon the entire Negro community under the imprimatur of the State of New York."

The Legislative Committee's report on Migrant Labor contained among others the following amazing statements: "From his earliest years the Negro child is culturally conditioned to farm labor" and "children of working Negro mothers lack the advantages which such children had under slavery." The Association's representative challenged these grotesque statements by inquiring of the authors, "How many Negro children in how many different areas were tested and observed and by what means? How does a Negro child growing up in an urban community differ from a white child in becoming 'culturally conditioned to farm labor?' How does this alleged 'cultural' conditioning apply to the millions of Negro families living and working in urban communities who experience the same social compulsions and group differentiations that are operative in the rest of our society?"

Mr. Hill observed that the statement on slavery "reveals a complete ignorance of the inhuman and brutal conditions which existed under slavery, conditions which cruelly destroyed the essential relationship between mother and child. We are not told what the alleged 'advantages' of slavery were for the Negro child in comparison to present-day conditions."

In the report of the Legislative Committee there appeared references to the alleged "absence of permanence in family relations" among Negroes due to the supposed "lack of social control over sexual impulse." The Association's representative characterized these comments as "absolute



**Entrance to Rinaldi & Son Labor Camp,
Martville, New York**

This camp was temporarily closed by the New York State Department of Labor upon complaint by the National Association for the Advancement of Colored People during the summer of 1957.

Investigation revealed that Negro youths recruited in several southern communities were held against their will after they attempted to leave this camp because of non-payment of wages and other abuses.

nonsense" that again refutes the "scientific" and "objective" pretensions of this report.

"The report gives no statistics and does not cite any clinical data or refer to relevant studies to support the contention concerning the alleged impermanence of Negro family life, but instead makes a completely irresponsible and categorical statement regarding the emotional development of sixteen million human beings, and reveals a total lack of information and sensitivity concerning the institution of the Negro family and its great durability."

Mr. Hill requested that the section of the report entitled THE NEGRO FAMILY be deleted. He stated, "the circulation of these distortions and unscientific interpretations concerning the Negro community in the United States is very dangerous, especially if formulated in the terminology of the social sciences and appearing under the imprint of a State Government."

"The widespread distribution of this document in libraries and schools as source material for future research will help perpetuate the discredited myths and prejudices about the American Negro. All too often in the past these falsehoods have led to well-known tragic consequences and we hope that those responsible for the study will withdraw the section entitled THE NEGRO FAMILY." The Legislative Committee granted the Association's request and soon had the original report withdrawn and reissued with the deletion of the entire section.

This sad but interesting footnote to history indicates how racial bigotry is a significant element even in northern states and very much a factor in the treatment of domestic migratory farm workers, most of whom are colored.

In the Spring of 1958, the Association's labor secretary accompanied by the creative and sensitive photographer, George Moffatt, began an investigation of the organization and operation of the migratory farm labor system along the Atlantic Seaboard. Beginning in Homestead, Florida and on to Belle Glade, Palatka, Lake Okeechobee, and other communities in that state and into Waycross, Georgia, and later in the area of Charleston, South Carolina, and elsewhere, workers were interviewed, living and working conditions were directly observed and farm labor contracts studied.

In areas of Florida, where the greatest number of farm workers are dispatched for harvesting and food processing operations along the Atlantic Seaboard, records of the Farm Placement Bureau of the Florida State Employment Service were investigated and the practices of labor contractors and crew leaders were closely observed. Special attention was given to the function of the representatives of labor departments of northern states including New York, which sends state agents into Florida each year to recruit southern Negro farm labor for harvesting and food process-

ing operations in upper New York State. This booklet is a result of that investigation.

The open trucks and buses carrying entire families were followed from points of origin in Florida, through Georgia, the Carolinas and into Norfolk, Virginia, where the federal government has established a vehicle check point. The day-to-day living conditions of the workers together with the practices of the crew leaders and growers en route were also studied.

At the conclusion of the southern activity, the NAACP labor secretary investigated the living and working conditions of these migratory farm workers in New York, New Jersey and Pennsylvania, and prepared an extensive report to Governor Harriman regarding violations of New York State statutes relating to migratory farm labor. In the course of several conferences with officials of the New York State Labor Department and Department of Health, together with representatives of the Governor's office, the NAACP labor secretary made proposals for more rigid enforcement of state statutes and proposed the elimination of the recruiting program by the New York State Labor Department in Florida; the adoption of minimum wage guarantees for farm labor and the development of a regional compact of the northeastern states to establish uniform administrative codes for farm workers brought into New York, New Jersey, Pennsylvania, etc.

A report was also made by Mr. Hill to the Federal Social Security Administration in which social security coverage of migratory farm workers along the Atlantic Seaboard was characterized as "negligible." Officials of the Social Security Administration were receptive to the NAACP's report and invited the Association to assist in the formulation of procedures to secure more effective social security coverage for migratory farm workers.

As these words are written, a Senate Sub-Committee on Migratory Farm Labor is considering several pending bills relating to agricultural labor and is preparing a series of investigations and legislative hearings. Spokesmen for the Association will soon testify urging minimum wage coverage for migratory agricultural labor and in support of proposals to register migrant labor contractors in inter-state commerce. We shall also recommend extending the ban on child labor in agriculture during non-school hours together with other socially necessary proposals.

It is unfortunately true that most Americans do not know of the tragic plight of thousands of men, women and children who cultivate, harvest and process the food which appears on their tables each day.

We hope that this publication will not only provide much needed information, but will also help mobilize broad public support for the necessary changes in the life and the work of those who in truth are "America's Forgotten People."



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Labor Secretary

National Association for the Advancement
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MID-TWENTIETH CENTURY AMERICA is an amazingly prosperous land—indeed, the wealthiest nation in the world. In these United States we have proportionately more natural resources, more automobiles, more superhighways on which to drive our automobiles, more refrigerators, more television sets and radios, than does any other country, anywhere.

Yet in the midst of this plenty are two million people comparable in their destitution to feudal serfs, save that they are bound to no land. Their mobility is in many ways their tragedy. For these people must roam ceaselessly, often having no single place to call home. In their wanderings over the face of our country, these nomads hope mainly to stave off starvation for themselves and their children. But their hopes also dwell on a decent home, good schooling for their children, a pleasant journey from one work place to another, as do the hopes of most citizens. Dare they hope for these things, when they must live in abandoned farm houses, shacks, chicken coops, tents, or dilapidated barns, when their children often receive no education at all and must work long hours if the family is to survive?

Who are these people who are so poor and so desperate? They are the American migratory farm workers, and the conditions under which they live and work do not belong in any enlightened nation. Of the estimated some two million, over one-third are native-born Americans, the majority of whom are Negroes. Another one-third are citizens of foreign nations who are brought here to work and then return to their own countries. The remainder are Mexicans who enter the United States illegally to engage in farm labor; these are known as “wetbacks,” since they literally wade or swim across the Rio Grande River to enter the United States.

Unfortunately, the general public remains largely ignorant of, or indifferent to, this serious and complicated national problem. Former Senator Frank Graham of North Carolina recently observed that:

“Migrant workers and their children are the most rootless, homeless, churchless, defenseless, and hopeless people of our country. The local communities, the state and nation, churches, schools, health and social agencies all have a responsibility.”¹

And here are the words of migratory farm workers, testifying before a federal commission on migratory labor:

Question: Can you estimate how much work you get . . . in a year?

Answer: I think that I work around six or seven months in the whole year.

Question: How much do you make?

Answer: In the whole year we make—well, not over seven hundred dollars.

* * *

Question: What kind of work were you doing for forty cents an hour?

Answer: Irrigating, and also thinning beets. Once in a while I would drive a tractor. . . . I have never refused work of any type regardless of wages.

Question: About how much work have you had in the past?

Answer: I worked six, seven months out of the year.

* * *

Question: Have you got any other suggestions that you want to make?

Answer: Well . . . I think a fellow ought to be able to make enough money in order . . . that he could school his children . . . without having to work them sometime and keep them out of school.

MIGRATORY labor is today employed principally in the harvesting and processing of a great variety of fruits, such as berries, melons, apples, oranges and other citrus products, most vegetables including potatoes, beans, lettuce, celery, tomatoes and sugar beets; is frequently used for picking cotton, but is seldom employed on dairy farms, livestock farms, poultry farms, or diversified general farms.

The President's Commission on Migratory Labor which was established by executive order in 1950, conducted what is perhaps the most exhaustive and significant study ever made of this national problem. It submitted a historic report to the White House on March 26, 1951 with many recommendations and proposals which have been almost completely ignored by Federal agencies and the state governments up to the present time. The Commission's analysis and conclusions, for the most part, remain completely valid today.

The President's Commission in its report estimated that migratory farm workers are seven per cent of the nation's farm manpower, although they are called upon to perform less than five per cent of the man-day's of work. The Commission drew this conclusion:

"... migratory farm labor cannot be dismissed as having little significance ... in addition to the human problems involved, the system of migrant labor has implications for our economy and for our culture which we should no longer neglect. . . ." ³

Since the turn of the century, agriculture in the United States has undergone tremendous changes, as has the status of farm labor. The current development is toward huge "corporation" farms, in contrast to the family farms of a half-century ago. (A "corporation" farm is a big business, and is run like a big business.) Large farms now cover one-third of the land in the United States as a whole and two-thirds of the land in the western states; a large farm is classified by the census as five thousand or more acres in the West, and one thousand or more acres in the remainder of the country.

Agriculture is rapidly becoming "a factory in the field." In California, citrus fruit is a billion dollar industry, employing a half million wage earners, selling \$3 billion worth of products and paying over \$500 million in wages. In its packing plants are 130,000 men and women, working on highly mechanized, and in many instances, automated equipment. Even the 400,000 field hands increasingly work with machinery. In lettuce and asparagus harvesting, conveyor belts are used for assembling and packing. The firms that own land include some of the nation's biggest industrial corporations. Standard Oil and Southern Pacific Railroad together own 123,492 acres. The Kern Land Company owns 231,000 acres. In San Joaquin Valley alone thirty corporations own more than 5,000 acres each. A similar development towards industrialized agriculture is rapidly taking place in most other states.

In the past decade the system of cotton land tenancy in the South has greatly diminished. With the virtual collapse of "King Cotton" in the five southeastern states, which in the past supplied a major part of cotton for the United States and the world cotton market, thousands of sharecroppers and agricultural day workers were dispossessed from the land; these people have been uprooted from their homes and work and now they swell the migratory labor stream especially along the Atlantic Seaboard where the majority of these workers are Negroes.

Despite the deplorable conditions under which they are forced to live, the uncertainty of work, and the lack of any normal relationship with an employer and with society, migratory farm workers are productive workers and are absolutely vital to the agricultural economy of many states and the entire nation.

There are now six major streams of migratory farm workers in the United States:

1. Migrants, most of whom are Negroes, who start in Florida and move North along the Atlantic Seaboard through Georgia, the Carolinas and Virginia into Maryland, Delaware, New Jersey, New York and Pennsylvania, working in a wide variety of harvesting and food processing operations.
2. Migrants, almost all of whom are Mexican-Americans, who start in Texas and go into the North Central and Mountain States, working mainly in the sugar-beet harvest and also picking vegetables and fruits.
3. Migrants, most of whom are of Mexican descent, who start in Texas and go North to Montana and North Dakota, working in the wheat and small-grain harvests.
4. Migrants, most of whom are Mexican-Americans and Negroes, who start in Texas and then divide into two groups, with one group moving to the Mississippi Delta and the other group moving westward to New Mexico, Arizona and southern California, working in cotton.
5. Migrants, usually whites of early American stock, who start in Oklahoma, Arkansas and western Tennessee, and move North and West, working in fruit and tomatoes.
6. Migrants, of all backgrounds, who work up and down the Pacific Coast, harvesting and processing various fruits and vegetables.

Would these migratory workers be better off were they able to find farm work in one locality and stay there? The President's Commission on Migratory Labor thought not. It stated:

"In summing up this comparison of employment and earnings for migratory and non-migratory workers, the similarities are more obvious than the differences. Both are underemployed. In both cases, women and youth are drawn extensively into employment. . . . Earnings per day are below prevailing standards. . . . This analysis of the employment and

earnings of migratory and non-migratory farm labor suggests that for the migrant to settle down as a non-migratory farm laborer will not help him much financially."

Statistically, about half the migrant workers are women—most of them mothers. The President's Commission found that in the migratory labor force there are as many males fourteen years through seventeen years as there are eighteen years through twenty-four years; altogether, there are as many males under eighteen years as there are forty-five years and older.

Governmental Neglect

As is evident, American Government has neglected the migratory farm labor problem at all levels: Federal, state and county. The United States Farm Placement Service shrugs off responsibility for the working and living conditions of migrant laborers although placing these workers in harvesting and food processing jobs at the request of employers. The Farm Placement Service also uses labor contractors and crew leaders in its recruiting activities, despite the record of these notorious middlemen, and generally appears mainly interested in meeting the labor demands of growers, no matter what the effect may be on the workers. Other branches of the Federal Government are responsible for the foreign contract labor system, and for the poor enforcement of immigration laws which enables thousands of Mexicans—"wetbacks"—to enter the United States illegally. Remiss as it has been in relation to the "wetbacks," the Federal Government has taken more action to relieve that problem than it has toward solving other aspects of the farm labor question.

With the exception of three states migratory agricultural workers are not covered by workmen's compensation laws. This exclusion is significant because farming has the third highest fatality rate of any industry in the United States, exceeded only by mining and construction. During 1956 the total number of men, women and children killed in agricultural work exceeded that of any other industry.

Farm labor is totally excluded from Federal minimum wage and maximum hours legislation. U. S. Department of Labor statistics indicate that the average farm worker's hourly pay is sixty-eight cents, as compared to \$2.79 an hour for the construction industry or even \$1.05 an hour for laundry workers who are among the lowest paid of all non-agricultural occupational groups in the United States.

Farm workers are now supposed to receive certain benefits of the Social Security system. But most employers throughout the country simply ignore the law.

Investigations made by the NAACP along the Atlantic Seaboard and on the West Coast have repeatedly disclosed the widespread illegal employment of children for farm labor. It is all too evident that Federal and state child

labor laws are inadequately enforced. U. S. Secretary of Labor James P. Mitchell recently acknowledged this and stated that: "Agriculture violates the child labor provision more than any other industry."

Farm labor is excluded from all benefits of unemployment insurance coverage, as well as most other protective and labor legislation.

H. L. Mitchell, president of the poor and struggling National Agricultural Workers Union, recently stated that "No law protects the right of farm workers to organize into unions and bargain with their employers. The result is that less than one per cent have ever been members of a union. Up to this point organized labor's concern has been expressed mainly in the adoption of resolutions of sympathy for their plight."

The annual average wage of all farm workers in the United States in 1957 was \$892 earned on jobs on and off the farm. The annual wage was \$728 for farm work alone. Farm workers were employed an average of 125 days on agricultural labor and 19 days in other types of employment. Measured in terms of real wages their pay was \$4.91 per day.

Of the two million migratory workers employed in agriculture, 700,000 worked 150 days or more for the same employer. Over 1,200,000 workers were employed on the larger farms, many of them controlled by powerful corporate interests. Migratory farm labor is so essential to the nation's farming and food processing industry that in addition to recruiting migratory labor in the South and Southwest, through state employment services and private labor contractors, the Federal Government enters into contractual labor agreements with Mexico, the British West Indies, Japan and the Philippines and Puerto Rico.

A member of Congress from a southwestern state described this contract labor system as follows: "100 years ago we owned slaves—today we just lease them."

Municipalities generally are indifferent to the condition of migrant labor camps in their areas, usually choosing to do nothing. Often local residents show a distinct animosity toward Negro farm laborers whenever such workers appear on the village streets. On too many occasions local police have made these workers the victims of police brutality. Illegal search and seizure, detention by police for long periods without arraignment and other violations of due process are often experienced by migratory farm workers throughout the United States.

The NAACP in cooperation with a small number of other groups has been instrumental in securing the passage of remedial state legislation but often even these limited laws are inadequately enforced. Pennsylvania, New Jersey and New York, all heavy users of migratory farm labor, have recently enacted regulatory statutes. Typical is New York State which now has a substantial body of law relating to the use of migratory farm labor in that State. Among the most important of these statutes are:

1. Licensing of labor contractors.
2. A requirement to maintain payroll records and to issue a wage statement indicating monies earned and deductions from wages.
3. Certification of migrant labor camps by the State Health Department.
4. Prohibition of child labor during the non-school period.
5. Licensing of camp commissaries.
6. Revocation of growers' registration, authorizing the Industrial Commissioner to prohibit the use of migratory farm labor by a farmer or labor contractor who misrepresents conditions of employment.

But recent NAACP investigations have uncovered widespread violations of these and similar laws, in the rural areas of New York State and elsewhere.

The Journey

For most Americans, reaching one's job by a reasonably convenient means of transportation is no problem. For the migratory farm worker, reaching his job may be agony. When he arrives at his destination, he may be so ill from the hardships of the journey that he cannot stand, but has to be carried from the vehicle. This is because migrant workers are hauled long distances in trucks—not through their free choice, but because very often their employer's labor contractor requires such haulage as a condition of employment. Often, too, migrants cannot afford to travel by public carrier, although they are forced to pay a fee for being hauled by truck.

A New York newspaper reporter in 1953, made this observation:

"In the early days of the summer you can stand along the edge of the main highways leading North out of Florida and Georgia and watch the migrant workers on their way to northern fields, packed like animals on the way to market.

"Crowded in trucks equipped with crude benches or orange crates for seats, men, women and children roll through the Carolinas and Virginia, sharing their common misery and exhaustion. Sometimes they stop for a hamburger and a Coke. Mostly they just keep rolling along.

"The Federal government has established rules for the shipment of cattle. Every so many miles they must be taken from the trucks, allowed to stretch their muscles, drink and eat. If it's hot weather, they must be hosed down with water.

"Migrant workers have no such protection. They just keep rolling along."⁴

Some of the migrants have told of their experience. These were hauled from Texas to Minnesota.

"It rained on us, and we stayed wet for two days."

"We had to travel sitting on a board for three days and nights. I had the baby on my lap the whole way."

"The same driver drove all the way from Texas with no one to spell him. I can't see why he didn't fall asleep and kill us all."

"They treat cattle better. My back aches when I think of it."

"My name is Manuel Martinez. I was one of forty-two people on that truck—me and my wife and three children. The women and children took turns sitting on the planks on each side. The first night, Chuck the Boss drove right through with no stop. I banged on the cab and begged him to stop for the sake of the kids. He yelled, 'Sit down—how are we going to get the beets if we don't get a move on.'"

"When the truck finally reached Minnesota . . . only a few could jump out without help. . . . Some were sick and fell to the ground."⁵

Trucks used to transport migrant farm workers generally are ancient and unsafe, without any real seats and very much overcrowded. Entire families, including infants and small children, are hauled in this manner for days and nights, with few rest stops or provisions for eating. On many such trips, no rest stops are made for thirty-six hours or more. Numerous accidents have happened which would not have occurred had the truck been in proper mechanical repair. Breakdowns due to mechanical failure can lead to even further misery on the part of the passengers.

On June 6, 1957, farm workers en route through North Carolina for work in Pennsylvania and New York were in an accident in which twenty were killed and others seriously injured. Fatalities and injuries as a result of accidents on the road occur very frequently each spring and summer when the migratory farm workers are moving through the countryside and along the highways.

A *New York Times* editorial on June 10, 1959 headlined "Migrant Workers' Tragedy" stated:

"The highway smash-up in Arizona that took the lives of sixteen migratory farm workers from Mexico and injured thirty-two others, some critically, seems an unmitigated tragedy.

" . . . The 'bus' in which the Mexicans were riding was a medium-sized truck, with canvas sides and no windows, and its only exit, in the rear, was blocked by baggage and a water barrel. Those killed were asleep on the floor or trapped near the front of the bus. The driver had dozed off at the wheel. Evidently the most obvious requirements of safety, both as to the vehicle itself and its operation, were flouted. . . ."

The Governor's Committee on Migratory Labor reported the following incident in Pennsylvania in 1958:

"One morning in York County, the State Police came upon a disabled truck carrying thirty-two migrants en route to Utica, New York from Florida. . . . The truck was stopped by the roadside with two flat tires. The group had no money to buy tire replacements, and had been for two days without food."⁶

Many food growers have made strenuous efforts to try to block any improvements in the transport of migrants. In May, 1957, the Interstate Commerce Commission held a hearing to consider establishing safety regulations governing the interstate transportation of farm workers. S. H. Butler of the Green Giant Company, Dayton, Wisconsin, testified as follows:





Picked, sorted, cleaned and boxed in a fast-moving operation.

"We feel that the requirement banning travel from 8:00 p.m. to 6:00 a.m. would work a hardship on the laborers being transported as well as upon employers. It has been our experience that these trucks can complete the trip from Texas to Wisconsin in from fifty to sixty hours, with stops only for meals, gasoline, and general stretching. . . ." ⁷

At the same hearing, the Tri-State Packers Association, Inc., of Easton, Maryland, expressed its dislike of a proposal that trucks carrying farm workers be required to have seats. The Packers Association:

"The floors of the truck in which the persons are transported are normally covered with bedding or sacks of clothing which provide a more suitable resting place than would seats of the type suggested by the Commission. The requirement that seats be provided appears to be extremely undesirable. . . . In addition, these trucks are used to haul produce to the processor; it would be practically impossible to attach the seats securely and still use the vehicle to haul produce." ⁸

Journey's End—The Dwelling Place

Migrant labor camps, where workers are housed while employed, generally consist of every type of structure imaginable, except decent housing. The NAACP has made numerous investigations of migrant labor camps in many states over a period of years. Migratory workers have been found living in dilapidated barns, chicken coops, old school buses, tents, shanties, tar-paper shacks, barracks, machine storage sheds, and pigpens. Fifteen to twenty persons may share a tiny cabin or a small room; frequently there are no windows, no heat, and no indoor cooking facilities.

Investigations have uncovered camps in which the entire sanitary facilities consist of one outside privy with no door; no running water, no electricity, no beds or old springs with no mattresses, badly leaking roofs, no screening, no refrigeration and on one occasion outdoor privies draining toward a water pump.

In one Pennsylvania migrant labor camp investigated in 1952 the NAACP labor secretary discovered five hundred inhabitants with one privy and one shower; in this camp, men, women and children lived together in a group of dilapidated barns and in an abandoned farmhouse, with approximately fifteen persons in each small room. In another Pennsylvania camp inspected by the Association there was no running water, no privy, no washing facility of any kind.

In a New York State camp investigated in 1958, the NAACP representative found the housing to consist of a series of attached tar-paper and clap-board shacks; inside, serving as beds, were double rows of wooden planks upon which straw had been placed. Similar sleeping facilities are usually found in migrant labor camps throughout the country.

Many camps have no facilities for the removal of garbage, so that filth is strewn around the area, creating a public health menace.

In Pennsylvania in 1958, state government representatives found "a migrant crew of fifty men, women and children from Florida . . . living in dilapidated railroad boxcars." ⁹

But, such facilities are not given *gratis*; the workers must pay for this "housing." Therefore, a sum for "room rent" is inevitably deducted from each worker's paycheck.

Frequently, migratory workers must live in this employer-owned housing as a condition of employment. If such is not the case, migrants often do not have the money to move elsewhere—even were decent housing available within walking distance of the job.

A California newspaper described the conditions in some of that State's migrant camps in these words:

"Longest slum in the world . . . village conditions in Pakistan no worse than some of the California camps . . . migratory families living under conditions similar to refugees in Seoul (Korea)." ¹⁰

In New Jersey, at a meeting described by Newark newspapers as the "rowdiest public hearing in years," four hundred farm owners loudly booed the suggestion that they provide blankets, warm water and electricity for their hired farm workers. ¹¹

A New York reporter wrote of the migrant labor camps he inspected as follows:

"[The trucks] leave the main roads and bump along over dirt roads until they reach a group of cabins in rows or flimsy barracks or remodeled barns or shanties. Seldom are the labor camps for migrants out on the traveled highways.

"It's better to keep them out of sight. A man's conscience won't hurt him so much if he doesn't see these hovels where fellow Americans must live for twelve or fourteen weeks. . . .

"In the yard outside are great stacks of rusty bed springs or rickety iron cots. It's first come first served, so the workers scramble to pick the best ones.

"Beside the bed springs are bales of straw, and each worker fills a ticking cover with enough straw to give his body ease after nine and ten hours in the fields harvesting what they call 'stoop crops.'

"The picture differs a little here and there. In some camps there are cinder block cubicles instead of shanties. In others there are mattresses, torn, dirty, and as comfortable as a rock pile to sleep on. But all are alike in absence of running water in the cabins, in reliance on old-fashioned outdoor privies and in their general atmosphere of down-at-the-heels drabness.

"These quarters are provided by the farmer, the grower, or the farmer's cooperative association. But that is about the limit of his interest in most cases." ¹²

This experience was recorded by a magazine writer:

"One day early last fall, I drove to Maple Lawn Farms, six miles east of Sunbury, Pennsylvania, where potatoes, tomatoes and beans are

grown. Like most migrant camps, the one there was hidden at the end of a dirt road, out of sight from the main highway. (Others are stuck away in swamps, behind warehouses or close to dumping grounds.)

"About forty migrants, with twelve children, were living at the Maple Lawn Camp. Three large families were crammed into a converted chicken coop. The rest shared an unheated barn partitioned into tiny cubicles. One of the cubicles held five cots and an open kerosene stove. Mattress bags were stuffed with straw. Burlap was used for sheets and blankets.

"Outside, ragged children played in a garbage heap. A former cowstall equipped only with a rickety table and a Coke dispenser served as a 'recreation hall'. Doorless latrines with stopped-up plumbing fouled the air.

"At the chicken coop, I talked to a frail, sad-eyed young woman with an infant in her arms who had come up the preceding July from Gardenville, Florida.

"'We've got no lights here', she said tonelessly. 'Electricity is off. We've got no water in the washroom. We all use a pump in the yard. . . . Why don't we move? Mister, we haven't any money to go nowhere.'"¹⁵

Several investigations and studies have made clear that the United States Government assumes no responsibility regarding the conditions of work—including housing—for which it is recruiting, either at the Federal or the state level. The following testimony was given before a Federal Commission of Inquiry by the State Supervisor of the Farm Placement Service in Florida:

Question: You say the employment service tries to make sure that there is housing for these people? How do you make sure that there is housing? What do you do?

Answer: That varies greatly. Where it is possible, we inspect. . . .

Question: Of course, you would have no authority if you found . . . any housing . . . to tell the grower, "You have got to fix this up so and so, and put these beds in," and so forth. Would you have such authority?

Answer: No, sir; none whatever. . . .

Question: . . . Could you not refuse to refer workers to that farm if, in your opinion, the housing was in bad shape?

Answer: That is right.

Question: Do you do that?

Answer: Yes.

Question: Do you have a standard of housing written up in some way on the basis of which you do that?

Answer: No; no, sir. In other words, it must be a question of at least *reasonable protection against the weather*. That is about as far as we can go.¹⁴

And Then—Payday

Payday is just another frustration in the lives of most migratory farm workers. NAACP investigations have revealed that a common practice in many labor camps is to inform farm laborers after several weeks of work that they have earned no money or even that they are in debt because of deductions for food purchased in camp commissaries and for "room rent" and transportation. Under this guise, wages simply are withheld. If migrant families then attempt to leave the camp, they are warned that they cannot depart because of their "debts." Open intimidation and even threats of violence are commonplace at this point, to prevent the worker and his family from leaving the camp site.

An investigation by the NAACP labor secretary in 1958 revealed that the majority of the workers at the Frank Swiercznski labor camp on Route 104, Orleans County, New York, received only one or two dollars at the end of each week's work. Those who complained were informed that amounts had been deducted for transportation, "room rent," food, debts, and unspecified expenses. These workers did not receive payroll statements as required by New York State law, indicating monies earned for a given period and itemized deductions, nor had they been told that deductions would be made for transportation, living quarters, food, and so forth.

Another investigation by the NAACP in 1958 at the Oak Orchard Villa Camp in Genesee County, New York, disclosed that workers' wages were withheld for a three-week period, at the end of which time many workers were informed that they had earned nothing for the period because of deductions. Contrary to the usual situation, some fifteen workers managed to leave this camp and went wandering about the countryside without food or adequate clothing in a search for other employment.

A magazine writer who visited migrant labor camps in New York State reported the following episode:

"At a camp in upstate New York, a tall, emaciated man from Georgia showed me his pay slip for the previous week. He had earned \$16.20 picking beans. But \$14.40 had been deducted for groceries, rent and transportation, leaving him a net of \$1.80."¹⁵

The fact that the migratory worker is sometimes furnished "housing" and transportation—by his employer, is of little benefit to the worker. The President's Commission on Migratory Labor took note of these matters as follows:

"Farm workers, it is true, have an additional source of income in the perquisites furnished by the employers—usually housing and transportation. . . . The value of perquisites [transportation and housing] given to migratory workers was estimated by the United States Department of Agriculture to be an average of *thirty-six cents a day*. For the one hundred and one days of employment per year of the average migratory worker, this would amount to thirty-six dollars."



Loading platform—Belle Glade, Florida.
5 A.M. "Shape up"



Migrant workers' wages often are piece rates based on such units as hampers or boxes, or else on such units as acres or thousands of plants. Sometimes, wages are paid by the hour rather than by the piece. It is not at all uncommon for wages to be changed at the whim of the employer. That is, when conditions are favorable for a higher yield, the piece rate may be lowered.

The direct result of extremely low wages and comparatively few days per year when work is available is family work; housewives, young children, and youths must work very long hours for the family to barely survive.

The farmers, large growers and the food processing and packing corporations are responsible for these pitiful wage rates and working conditions, and they have repeatedly indicated their determination that there shall be no minimum wage legislation for agricultural workers.

During the 1947-57 inflationary period, farm workers' wages remained consistently low while the factory workers' wages rose sharply. Specifically, farm workers' average annual wages rose only about \$150, while the average yearly earnings of factory workers reached approximately \$2,000. In 1958, the average annual earnings for all farm labor was estimated to be \$892. This includes wages earned on farms and other employment.

A recent study of the annual earnings of migratory farm laborers who leave Mississippi each year for harvesting work in other states revealed "that 12 per cent of these migrant workers reported that they had no money at the termination of their work period elsewhere."

George T. Dowdy, Sr., Professor of Agricultural Economics, Tuskegee Institute, observed that "the seriousness of this is further aggravated by the fact that 60 per cent of all migratory workers included in this study received a gross annual per capita income of only \$667; the remaining 40 per cent earned less than this amount."

Farm workers as a group lack steady work and have extremely low rates of pay and low annual earnings. Among all farm workers, however, migrants are the most exploited, the most marginal and desperate.

From "Cain't" to "Cain't"

To use such terms as working conditions and job standards in connection with migratory agricultural employment is meaningless, because there are no established standards as these terms are understood by factory workers. No limits exist in relation to the hours of work, the days of work, the exact type of work. The only factor of which a migrant farm worker can be absolutely certain is that his wages will be lower than those of other workers in all other occupations. In many localities, a day's work goes from "cain't" to "cain't"—from when you cannot see the sun in the morning until you can no longer see it in the evening.

A migrant worker never knows how many days he will be called upon to

work in any particular week. If the weather is unfavorable, he will be left sitting in his shack, and there will be no pay for this period and he and his family will be incurring debts for food and "housing." Other times, he and his family may work seven days a week, sixteen hours a day.

Union Organization

These migratory men and women—and children—who labor in the fields have absolutely no voice in the conditions of their employment. The American Federation of Labor-Congress of Industrial Organizations has neglected the nation's agricultural workers, especially the migrants, although these people more than any other group of workers are urgently in need of union protection and benefits.

Not only has it neglected farm workers, but the American Federation of Labor has in at least one instance actually delivered them to their exploiters. This astonishing incident occurred in Louisiana in 1956. Incredibly, the Louisiana State AFL Labor Council openly supported Act 397 in the state legislature; Act 397 was a "right-to-work" law banning the "union shop" thereby making union organization extremely difficult if not impossible. But Act 397 applied only to agricultural labor, such as sugar-mill and processing workers, cotton-gin and compress employees, and those employed in rice-mill and related processing occupations. In return for its support of Act 397, the Louisiana State AFL Labor Council was awarded the repeal of a more inclusive "right-to-work" law also covering industrial workers which had been enacted in 1954.

So outrageous was this betrayal of agricultural workers in Louisiana, that two representatives of the small National Agricultural Workers Union (an AFL-CIO affiliate) appeared at a quarterly meeting of the AFL-CIO national executive council at Unity House, the summer resort of the International Ladies Garment Workers' Union in Pennsylvania, to protest this shameful "deal." H. L. Mitchell, president of the Union and Dr. Ernesto Galarza, the Union's Secretary-Treasurer, met with the AFL-CIO executive council in August, 1956. AFL-CIO President George Meany appointed a two-man subcommittee to hear the charges and to hear also the Louisiana Labor Council's defense of its behavior. The subcommittee was composed of Joe Curran, president, National Maritime Union, and Richard Walsh, president of the International Alliance of Theatrical, Stage Employees Union. The verdict: a recommendation that the AFL-CIO approve the action of the Louisiana State Labor Council. This approval was voted unanimously. Following the board meeting, President Meany described the Louisiana action as "economic expediency."¹⁶ It is of course interesting to note that the victims of this "economic expediency" were mostly Negroes.

During its extensive investigation of migratory labor utilization, the President's Commission on Migratory Labor was able to discover only one

work contract and two collective bargaining agreements covering domestic migrant farm workers.

The one contract was in use by the Blue Mountain Division (Pacific Northwest) of the Green Giant Company. A company representative testified before the Commission that the Blue Mountain Division offers a non-negotiated work contract which it terms an "Offer of Employment" to its migrant employees. Among other features, this contract states the approximate date on which work will commence, the approximate period of the work, a guaranteed minimum wage of sixty dollars for each two-week period if the worker stays for the entire season, a set charge for board and room arrangements, a description of the housing arrangements, a provision of transportation via truck to the job, and an obligatory group medical insurance at a charge to the worker of seventy-five cents per week. Commenting upon the contract, the President's Commission stated:

"The employment record which this type of personnel practice has produced is striking. The Texas-Mexicans under this contract turn out to be 'reliable' workers. Other migratory workers referred to as 'white' who work under the same conditions, live in the same housing, eat the same food, but who are not accorded a contract, are found to be 'unreliable'. . . . The record of the Blue Mountain Division of the Green Giant Company indicates to us that when a company treats its workers as employees . . . workers respond as employees. . . ."

The two collective bargaining agreements encountered by the President's Commission existed between a local of the Meat and Cannery Workers (affiliated to Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO) and Seabrook Farms—a large grower-processor in New Jersey, and a local of the United Packinghouse Workers of America AFL-CIO and Fellsmere Sugar Producers Association—a cane-sugar producing and processing association in Florida. Concerning migrant labor, the Commission made this interesting observation:

"In each of these instances . . . collective-bargaining coverage was limited, since the bulk of the seasonal [migrant] field labor was not specifically covered by the agreement. Nevertheless, in both instances, provisions of the agreements afforded a measure of benefit to seasonal and migratory workers because some of the collective bargaining results were extended to them. Principal among these were rights of promotion from field to plant work and seniority in hiring and firing."

Although farm employers have resisted unionization bitterly, the two employers mentioned above commented favorably to the Commission upon their experiences of dealing with a union as the collective bargaining agent for their farm workers. Mr. Seabrook testified:

"I don't think we have suffered any from it. We happen to be dealing . . . with quite respectable unions that have very reputable leadership, and we haven't been subjected to any wildcat strikes."

The Fellsmere Association representative told the Commission:

"You have to admit that the union does perform a job for you that [the company] would have to employ people to do for you to maintain labor relations. It makes for more economical operations."

Agricultural workers in the United States are lagging far behind those in Europe from the standpoint of unionization. In Great Britain, Norway, Sweden, Denmark and Holland, one-half to four-fifths of the agricultural workers are members of trade unions, while in West Germany and Austria organizations of land workers have been revived. It must be recognized, however, that unionization of migratory agricultural workers in America will be an extraordinarily difficult task because of the extreme mobility of the labor force.

No Help For the Sick

The health of migratory farm workers undoubtedly is the most seriously impaired of any group of people in the nation. Many migratory children suffer from chronic diarrhea, due to fatigue and infection. The lack of sanitary facilities in migrant labor camps presents a constant menace of an epidemic.

Migrants generally have no way of getting from the labor camp to a doctor or a hospital and, even if they were taken for medical care, they ordinarily could not pay for it. Because of residence requirements, migrants generally are not considered eligible for medical care through public welfare benefits. NAACP investigators have found countless migratory workers, of all ages, wandering through the camps with infected sores and other disorders in need of immediate medical treatment.

On February 5, 1959, Dr. Hector Garcia, chairman of the American G. I. Forum, Corpus Christi, Texas, told the National Advisory Committee on Farm Labor about the health and medical problems of farm workers and their families. Dr. Garcia stated:

"The children of migrant parents are born into a world completely of their own. An anemic mother, and possibly a tubercular father—a life that will take him into his world where he may possibly die within one year, either from diarrhea, tuberculosis or malnutrition. His infancy would be a very close association with his brothers and sisters. Their home would be [a] one- or two-room shack, with no inside running water and no flushing-toilet facilities. If he lives to be of school age, he could possibly go to many schools on different occasions at different places, but will never average more than three years of schooling in his life time. . . . His future life will be one of wandering, poverty and more sickness. . . . "As a migrant, his world will be from the Atlantic to the Pacific—from the Great Lakes to the Rio Grande. It will be his world, however, only in that the only piece of property that he will own will be his grave. . . .

"I may be here because I am still haunted by that remembrance of a day ten years ago when the little boy came to my office to ask me to go



The journey to the fields.



There's barely room to hold on!

and see his mother who was sick. I went to his home—a one-room shack. I found a dead mother with six children lying in the same bed, all covered with blood from the hemorrhage of a dying tubercular mother.”

The National Consumers Committee for Research and Education sponsored a research demonstration project among migrant agricultural families in Marquette County, Wisconsin, in 1957. The project report notes:

“Medical care was arranged for such critical cases as a child subject to epileptic seizures, a tubercular father, a man who needed to have a diet for high blood pressure translated into Spanish, a deaf child needing institutional care.”¹⁷

The President’s Commission on Migratory Labor found that tuberculosis, infant mortality, maternal mortality, dysentery, enteritis, smallpox, typhoid, are all “much more prevalent among migratory workers than among the general population.”

It is important to note that the diet of migratory farm laborers is not sufficient to maintain health. A physician testifying before the Commission stated:

“I can say from the reports of the nurses that we do have dietary deficiency diseases . . . and cases of that have come to my attention—due to a diet consisting of corn meal and perhaps rice and very little else. *There is also evidence of . . . ordinary starvation among many of these people. . . .* A survey which I made and photographed in the Mathis, Texas, labor camps showed that ninety-six per cent of the children in that camp had not consumed any milk whatsoever in the last six months. It also showed that eight out of ten adults had not eaten any meat in the last six months. . . . The reason given was that they could not afford it with the money they were making.”

A survey made about 1950 revealed that only about one-sixth of the state and local agencies providing free medical care to the destitute do so without residence requirements. No evidence has since come to light to indicate that this situation has since improved.

Under these circumstances, what can parents do when their baby is dangerously ill? Here is what happened to a migratory farm family in the San Joaquin Valley of California:

Inquest: “. . . The body is that of a well-developed, moderately emaciated white male infant—approximately four months old. . . .”

Father’s testimony: “On November 4th, he started vomiting but stopped and seemed better. About nine o’clock on Sunday, the 6th, he was very bad, and we started for the hospital. We took him to the Coalinga Hospital but we didn’t have any money and they sent us to the General Hospital in Fresno. We are not familiar with this area and we stopped at the Wallace Sanatorium. We didn’t have any money so they sent us on to the General Hospital. When we arrived they told us the baby was dead.”¹⁸

A few states have made some limited effort to provide medical care for the destitute migrant farm workers, but the situation still is generally wretched. The States of Pennsylvania, New Jersey and New York each conduct a number of medical clinics, and some farm syndicates have begun to maintain clinics, but these are isolated and inadequate.

Excluded from Federal, State Labor and Welfare Laws

Although it is clear that migratory agricultural workers are more in need of the protection and benefits of welfare laws and labor legislation than any other group in our population, these workers are systematically excluded from state and federal welfare legislation—with the exception now of Federal Social Security. This exclusion works an enormous hardship on these workers and is an important factor in the harsh conditions under which migrants live. Usually where there is no specific exclusion of agricultural labor from welfare and labor statutes, the laws simply are not applied or enforced in regard to farm workers.

The following brief summary will illustrate how farm workers, including migrants, are excluded from the very welfare laws which they desperately need. The information given below was compiled from data issued by the Bureau of Labor Standards, U. S. Department of Labor.¹⁹

Minimum Wages. The wage and hour provisions of the Federal Fair Labor Standards Act do not cover agricultural workers. There are no state laws setting a minimum wage for farm workers as a group; seven states and the District of Columbia have general minimum wage laws covering women and minors only.

It is interesting to realize that Hawaii and Puerto Rico are ahead of the mainland in the matter of welfare laws covering farm workers: the minimum wage laws of Hawaii and Puerto Rico apply specifically to agricultural workers.

Labor-Management Relations (Taft-Hartley) Act. This Federal labor relations law does not cover agricultural workers. Therefore, migrant farm workers cannot make use of the law’s provisions for labor union organization and collective bargaining.

Unemployment Insurance. The unemployment insurance laws of every state except Hawaii specifically exclude agricultural labor. Hawaii, while still a territory, passed an agricultural unemployment insurance law.

Workmen’s Compensation. (Workmen’s compensation pays comparatively modest benefits to workers who are injured on the job; a large number of accidents and injuries occur in agricultural employment.)

Fourteen states have some coverage of agricultural workers, but in eight of these states only farm workers engaged in certain mechanical or power operations are covered. Only Connecticut, Ohio and Vermont cover farm

workers in the same manner as others and *only in Ohio is the law compulsory*.

In all but a few states farmers may, if they wish, insure under the compensation law. But few farmers have chosen to protect their workers in this manner.

Wage Collection. In only twelve states are the laws broad enough to cover the claims of farm workers who wish to authorize the Commissioner of Labor to undertake the collection of back wages. In one other state—New York—the Department of Labor and Industry may hold hearings on claims for wages and may make decisions in certain controversies.

Temporary Disability Insurance. (Temporary disability insurance pays certain benefits to workers who have become temporarily disabled.) The four states which provide temporary disability benefits completely exempt agricultural workers.

Transportation of Farm Workers. A 1956 amendment to the Federal Interstate Commerce Act authorized the Interstate Commerce Commission to establish for certain motor carriers of migrant workers reasonable requirements with respect to the comfort of passengers, safety of operation and equipment, and qualifications and maximum hours of service of the operators of such vehicles. Such requirements now have been issued by the Commission; the requirements include regulations for rest stops, meal stops every six hours, the provision of seats with back rests, protection of the passengers from cold, and so forth. The regulations apply to migrant carriers only if the vehicle travels a distance of more than seventy-five miles and if such transportation is across a state line.

Unfortunately, these highly desirable regulations have not been well enforced, and, therefore, have not been particularly effective.

Regulation of Farm Labor Camps. About half of the states have laws or regulations that apply to all labor camps or to camps for migrant farm workers; these laws range from very limited regulation to rather comprehensive regulation covering sanitation, housing and camp location.

However, these laws are so little enforced as to be of little more use than if they never had been passed.

Social Security: Old Age and Survivors' Insurance. Under 1957 amendments to the Federal Social Security Law, a person employed on a farm or working in other types of agricultural enterprise earns social security credit for his work from each farm operator who pays him \$150 or more in cash wages in a year. The amendments also provide that if an employee does farm work for an employer on twenty or more days during a year for cash pay figured on a time basis, such pay is covered by the Social Security Law.

However, at the conclusion of an extensive investigation during the summer of 1958 along the Atlantic Seaboard, the author reported to the Social

Security Administration that actual coverage for migrant farm labor was "negligible."

Why should farm workers be excluded from those specific welfare laws that they especially need? The reason is that most state legislatures are dominated by powerful agricultural interests, and these same interests have a very strong influence in Congress. The pitifully few laws which have been passed for the protection of farm workers are violated constantly by farm employers who are penalized very lightly or not at all when such violations are exposed.

The National Sharecroppers Fund and the League for Industrial Democracy have given an excellent description of the political operations of the farm interests:

"The big farm lobby is spearheaded by the American Farm Bureau Federation, a powerful organization controlled by the big farmers, although its membership includes many small farmers. The lobby includes the special crop and industry associations, and works closely with the National Association of Manufacturers. . . . It is well-financed and effective.

"One of the lobby's most important activities is the prevention of legislation which would extend to farmers and farm workers the benefits of social welfare legislation. . . ." ²⁰

Because of the grinding poverty in which migrant families are forced to live, mothers and children very often work in the fields along with the man of the family—to earn enough for survival. In 1956, for example, Federal investigators who inspected only a fraction of the nation's farms found some 4,200 children less than sixteen years of age working when they should have been in school.

Two Federal laws control the employment of children in agriculture. The Fair Labor Standards Act establishes a sixteen-year minimum age for agricultural employment *during* school hours. The Sugar Act specifies that producers are not to obtain maximum benefits if they employ children under fourteen years, or permit those of fourteen and fifteen years to work more than eight hours a day; this Act applies to the cultivation and harvesting of sugar beets or sugar cane.

Only six states and the District of Columbia expressly provide a minimum age for the employment of children in agriculture during non-school hours; this age varies from ten years in Utah to fourteen years in several other states. For agricultural work during school hours, a minimum age expressly applies in thirteen states and the District of Columbia; this age varies from fourteen to sixteen years.

A study made by the Bureau of Labor Standards of the Department of Labor notes that:

"Compulsory school-attendance laws supplement the standards set under the child-labor laws by requiring boys and girls to attend school to a certain age, usually to sixteen. In many states, however, these laws



NAACP Representative examines labor contracts as Supervisor of Florida Farm Placement Bureau dispatches crew leader—Palm County, Florida.

permit children under sixteen, or even under fourteen, to be excused from school to work in agriculture.

"The situation as it relates to migratory children is even more serious, since the school laws often do not apply to them, and travelling from state to state as they do, opportunities for school attendance are often very meagre."

NAACP investigations have shown that child-labor laws simply are not enforced in respect to the children of migratory farm workers; it is common to find children of seven, eight, nine and ten years working in the fields, especially along the Atlantic Seaboard during the height of the harvesting season.

An eight-year-old migrant boy, who was taught to read and write at a special school for migrant children, told some of his experiences in this little essay:

"Get down on your knees. Then start picking beans. When you get two hampers full then you weigh them. After you weigh them you put them on the truck. But before you put the beans on the truck you must put them in a sack. You must pick beans all day. You go home when the man tells you."²¹

In 1957 many young children were found to be illegally employed as farm workers in California. That same year in California alone, 125 children under sixteen years of age were injured, some of them disabled permanently. Only one California farmer was prosecuted in 1957 for violating child labor laws.²²

Because they often are working when they should be in school, migrant children have the lowest educational attainment of any group in the nation, according to the United States Office of Education, which has said of migratory children:

"They enter school later than other children, attend fewer days, make the least progress, drop out of school sooner and constitute the largest single source of illiterates. . . . Every year at least 600,000 [migrant] children are being denied the privileges of a public school education."

When these unschooled children become adults, they will not be equipped to do work which is any more satisfying or financially secure than that in which their parents are trapped. This is one of the most tragic aspects of the entire problem of migratory farm labor.

On February 6, 1959, Mildred Fairchild Woodbury, chairman of The National Child Labor Committee, presented the following report at the Public Hearings of the National Advisory Committee on Farm Labor:

"Although many states now have laws that protect children from harmful employment, most ignore children who work in commercial agriculture. Twenty states apparently would permit any child of any age to work in commercial agriculture. They have no laws that set a minimum

age. Four of the five states that have set a minimum age of 14 permit children to work at an earlier age if they have the consent of their parents. . . .

"Children who work in agriculture do not suffer from the harmful effects of their labor alone. Their whole way of life is deprived. They suffer from poverty, community rejection, inadequate housing and sanitary facilities, poor health, inadequate health services, lack of public services, etc. The one fact about them that is incontestable is that they don't have the opportunities educationally that our country has insisted on for its children. The United States Office of Education reports that migrant children have the highest degree of illiteracy of any group in our nation; they rarely go beyond elementary school. Nothing is done to help them occupationally—to give them the education, preparation, or special help they need to become productive working adults.

"The National Child Labor Committee recommends amendments of the Fair Labor Standards Act to give children in commercial agriculture the same protection it extends to others; minimum-wage coverage for farm workers; allocation of funds for enforcement of present legislation; extension of federal aid to education (including funds for vocational counseling and training); federal aid to depressed rural areas; and extension of desirable employment standards to all agricultural workers—social security, workmen's compensation, unemployment insurance, the rights of unionization and collective bargaining. . . ."

When the mother of the family must work in the fields, infants and young children often are left in the camp during the day with no care or supervision. A New York newspaper reporter described some of his observations of this as follows:

"To feed the children the parents are virtually compelled to work in the fields. And what happens to the children? . . . I saw them locked in old jalopies to keep them out of harm. . . . Often there was no one to prepare a midday meal and the babies and little children go from breakfast to supper with nothing to eat. . . .

"A social welfare worker . . . told of finding four children whose mother was in a hospital. There was no food in the shabby cabin.

"I spoke to the crew leader, and he didn't care," said the county welfare official. "I spoke to the farmer and he didn't care. I had a little food in my car and I gave it to the children."

The Crew Leader: A Key Figure

The labor contractor or crew leader may well be the most vicious figure in the entire system of migratory farm labor. He is responsible to no one, and his practices too frequently are utterly unscrupulous. Along the Atlantic Seaboard he usually is a trafficker in human misery for profit.

It is the labor contractor or crew leader who arranges for the worker and his family to be hauled in trucks under inhuman conditions, who deducts exorbitant amounts from the earnings of workers or withholds their wages altogether, who attempts to prevent dissatisfied workers from leaving the

labor camp under his control and is often engaged in various rackets including prostitution and the sale of liquor. The farmer or grower almost always refuses to take responsibility for the conditions pertaining to his workers although the grower who thinks of himself as a respectable, law-abiding citizen directly benefits from the crew leader's control and discipline of the work force.

NAACP investigations during 1958 have shown that at several labor camps in New York State where state labor and health standards are enforced, the services of the crew leader or labor contractor have been dispensed with entirely; these investigations found that workers were employed directly by the operating companies at the Birdseye Corporation camp, the Quaker Maid Company camp, and the Russo Brothers Muck Farm.

A New York newspaper reporter described succinctly the workings of the vicious labor contractor-crew leader system:

"... quarters are provided by the farmer, the grower or the farmers' cooperative association. But that is about the limit of his interest in most cases.

"The middle man is the crew leader, or labor contractor, and all too often he is the villain of the whole sad business.

"He makes a deal with the growers to supply a certain number of workers and he rounds them up in the South, transports them North, and often collects the pay for them, doling it out later.

"Greedy for his own share, he usually delivers his workers to the farmer several weeks before the crops are ready for picking. This is one of the worst and most widely-accepted evils of the whole migrant picture.

"Day after day, week after week, the workers sit in their shacks, waiting to go into the fields and earning not a penny. Before they have picked their first bushel of beans or cherries or tomatoes they are in debt to the camp store, run by the crew leader or by someone he has licensed to operate it for him."²³

A licensed labor contractor in California gave the following testimony before the President's Commission on Migratory Labor:

Question: Do you know what prices these [contractors'] commissaries charge, whether it is reasonable with what the merchants would charge in the village?

Answer: It invariably is unreasonable . . . they charge a man two dollars [or] two dollars and a quarter a day for room and board. . . . That board is really something terrible. I mean they really rob them.

[The labor contractor] is in a position to sway the general equilibrium of honesty in any direction he wants. . . . There are many contractors and solicitors who have camps. . . . They supply the food, the women, the narcotics—in which there is a heavy traffic within these camps—and beer and wine and everything else, so they subsequently end up with a large proportion of the payroll.

The same President's Commission indicated deep dissatisfaction with the entire system of labor contractors and crew leaders in migratory farm labor. The Commission asserted:

"The labor contractor system is essentially a means by which the employer of migratory farm workers avoids the responsibilities of obtaining and managing his labor. It is a system in which abuses may flourish. . . . To the extent that a crew leader or labor contractor recruits labor, he is an employment agent. In this activity are to be found . . . malpractices . . . such as the misrepresentation of work opportunities, the charging of excessive fees, and sending workers to places where there are no jobs.

"For his services as an employment intermediary, whether as a supplier or as a supervisor of employment, the contractor or crew leader may exact a heavy financial toll. . . .

"The practices and rates for compensating crew leaders and labor contractors are so variable and diverse as to defy convenient classification. In some instances, the farmer pays for the middleman's services which are rendered in his behalf, but all too often the worker pays most of the costs, regardless of whether the services are useful to him or whether the intermediary is only parasitic."

Few states have laws regulating farm labor contractors. Four states require that such contractors obtain licenses, comply with certain regulations as to records, refrain from engaging in certain undesirable practices and, usually, file a bond. New York State has a law requiring labor contractors bringing ten or more migrant workers into the state to register with the Industrial Commissioner and to keep records on wages, working conditions and other data; the Commissioner may revoke, suspend or refuse to renew the registration for various reasons, including giving false information to workers as to terms and conditions of employment; employers may not use the services of labor contractors who are not registered. The State of Pennsylvania has issued regulations applying to labor contractors, providing for licensing, and placing upon them certain duties and responsibilities.²⁴

Judging by existing conditions, however, these laws are honored more in the breach than in the observance.

Many labor contractors and crew leaders are responsible for a vicious camp atmosphere where sometimes fences or barbed wire prevent workers from getting out and visitors from getting in; armed guards patrol some camp sites in the event the barbed wire is not sufficient to discourage escape.

Foreign Migratory Workers in the United States

During the summer of 1957, together with Dr. Ernesto Galarza of the National Agricultural Workers Union, the NAACP labor secretary observed at first-hand the labor camps and working conditions of farm labor in several areas in California. In the course of interviewing many groups of Negro and white farm laborers and from an examination of statistical data it was deter-



Shacks for migrant workers near Palatka, Florida.





A migrant labor camp near Meggett, South Carolina.



mined that native American workers, both Negro and white, have been virtually forced out of agricultural employment in California as a result of the importation of Mexican nationals. In addition it was found that the importation of farm labor from Mexico is broadly used to depress wage rates for domestic farm labor throughout the entire West Coast area.

On August 27, 1957, officials of the West Coast NAACP office, in a telegram to California's Governor Knight and Vice President Nixon, reported the "arbitrary refusal of Marysville fruit growers to employ Negro and other minority American agricultural workers in favor of Japanese and Mexican nationals." NAACP representatives reported that their investigations revealed that "many farm workers are extremely destitute and in need of immediate assistance . . . a breakdown in housing and sanitation in migratory labor camps is mounting in severity." Governor Knight was urged "to order an immediate investigation of housing, health and sanitary conditions" and Vice President Nixon was urged to intervene "with the proper federal agencies to alleviate a serious and explosive situation."

The foreign nationals who are themselves the victims of an appalling exploitation and poverty, have today largely displaced domestic workers from farm labor in California and elsewhere in the West and Southwest. In many instances their presence has made the total employment situation for all workers much more desperate.

The Mexican worker or "bracero" now comes to the United States under international agreement; the legal basis for this is U. S. Public Law 78, which was adopted because of acute wartime manpower shortages in agricultural labor.

However, an analysis of the number of workers brought to the United States under Public Law 78 clearly indicates that there has been a steady increase each year, so that even in a year (1958) of widespread unemployment and recession, over 450,000 foreign nationals were brought to the United States.

Because the agreement is between government and government, many safeguards for the workers are included. But inadequate appropriations for inspection and enforcement have reduced the value of the international agreements although it is necessary to note that imported workers are legally in a superior position to domestic workers who usually have none of these protections.

Other foreign workers, employed under a contract between foreign governments and growers' associations or only between grower and grower, are less well-protected; and worst of all are the most recent programs, such as those involving Japanese and Philippine workers, which are not under Department of Labor supervision, but only under the Immigration Bureau of the Department of Justice which is not equipped for such work.

The President's Commission on Migratory Labor, finding that "alien

labor has depressed farm wages, and therefore, has been detrimental to domestic labor," said:

"There is nothing wrong or immoral in employing foreign workers in American agriculture when there are mutual advantages in doing so. Employment of foreign workers is really not the issue. The point is that our Government has an obligation to make certain that these foreign workers do not reduce still lower the wages of domestic farm workers. . . .

"The issue then is job standards. We must raise the standards and conditions of work in migratory farm employment and thereby eliminate the dependence by farm operators on poverty at home and misfortune abroad as the foundation of the recruitment of their labor supply.

"Fundamentally, this means that public policy must encourage farm employers to build reliable jobs for reliable people, not to maintain obsolete and intolerable standards. . . . We must build toward an agriculture that will yield a decent American income for those who provide labor."

"We Don't Need You Boys Any More"

To understand how the alien labor program has affected native born farm workers on the West Coast one must hear them as they tell their own stories:

"I am Casey Garcia. I am an American citizen and was born in Los Angeles. . . . We always worked in the crops and travelled from one place to another. . . . There was a job for everybody who wanted to work.

"Then the big companies started bringing in nationals from Guadalajara, Monterrey and other places. The nationals had contracts to work for wages at fifty cents an hour. . . . We always made more than fifty cents an hour no matter what we did in the fields.

"In 1950 there were about five thousand nationals brought into El Centro . . . the boss would say, 'We don't need you boys any more. The Farmers Association is sending some nationals. . . . The contract says they must work three-fourths of the time and we can't afford to pay them for not working' . . . we couldn't get the Labor Department to send the nationals back to Mexico."

* * *

"I am Raul Aguilar, a farm worker. My home is now in Stockton California. I started to work in the fields . . . in 1946. . . . We used to work seven days a week.

"By the end of 1947, and the first months of 1948, we started having trouble with the 'wetbacks'. [Mexicans illegally in the United States.] We couldn't find work in the winter months because the labor camps were full of 'wetbacks'. They had first choice in all the work.

"By 1951 there were fewer 'wetbacks', but larger quantities of Mexican nationals. By 1952 and 1953 local families were moved out of the family labor camps and nationals were housed there instead. . . .

"The wages [for lettuce] used to be twenty-five cents a box. . . . Soon these people found themselves out of jobs because the Mexican nationals started working in everything. They dry-packed lettuce in the fields at eighty-two-and-a-half cents an hour and soon the local workers started to work fewer hours. . . .

"At first we used to go to the fields and ask the farmers for work but they always said, 'Sorry—we cannot give you work because the work is for nationals only' . . . pretty soon we stopped going. . . .

"In 1958, while the headline was on for people without work, bus-loads of Mexican nationals were coming to Stockton to take over our jobs." ²⁵

More than a half-million foreign farm workers now are brought into the United States under contract each year, plus many thousands of Puerto Ricans who also are brought in for work under contractual arrangement. In addition farm laborers from Jamaica and the Bahamas are brought to the United States through work agreements negotiated directly between American farm employers and the Bahamian or Jamaican Governments or their agents.

The United States Immigration Service and Department of Labor have provided the following figures for all of or part of the year 1957: ²⁶

FOREIGN CITIZENS

Contract workers imported from Mexico	450,422
Mexican workers illegally in the United States, who were apprehended during the year	44,451
Contract laborers imported from Canada	7,015
Contract laborers imported from British West Indies	8,244
Contract laborers imported from Japan	1,000
Contract laborers imported from French West Indies	32
Contract laborers imported from Bahamas	3,912

UNITED STATES CITIZENS

Contract workers imported from Puerto Rico	13,214
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Although conditions for migratory farm workers are much the same throughout the United States, conditions among foreign nationals may vary considerably because of difference in contractual arrangements and degree of enforcement of labor provisions. Typical of what imported laborers may expect either on the West Coast or along the Atlantic Seaboard is the poor treatment of Bahamian workers as reported by the Workers Defense League, which described the dilapidated and unsanitary housing facilities for such workers in New Jersey and Virginia. Some of the most scandalous conditions, especially with regard to economic exploitation, were found at the huge apple orchards owned and operated by Sen. Harry F. Byrd of Virginia. The League also quoted a Long Island grower as saying that he preferred Bahamians because, ". . . when I get ahold of their permits, they gotta stay put and they know it. If they make a move, they'll be thrown out of the country."

Mexican Nationals: The Largest Foreign Group

By far the largest number of alien farm workers in the United States are the Mexicans brought to this country under an international agreement. Be-

cause this agreement is continuously violated by American farm operators, the conditions of these workers are in most cases about as bad as those of American migrant workers.

Dr. Ernesto Galarza, on behalf of the National Agricultural Workers Union, has made an extensive study of Mexican contract farm workers in the United States. He estimated that since 1942 more than one million Mexican citizens have worked in this country as agricultural laborers, and that they have worked in more than half of the forty-eight states.¹⁷ In his investigations of migrant camps where Mexican laborers are living and working in the United States, Dr. Galarza found blatant and widespread violations of the international agreement under which the Mexicans are brought to this country.

Among the rights of Mexican nationals enumerated in the international Migrant Labor Agreement of 1951 (amended) are the following:

1. A guarantee that the worker can choose the type of farm work he desires.
2. A guarantee that wages at the prevailing rate paid domestic workers for similar work shall be paid the Mexican.
3. A guarantee that the wages paid the Mexican shall be sufficient to cover his "normal living needs."
4. A guarantee that the Mexican will work not less than three-fourths of the work days of the total period of his contract, beginning the day after his arrival at the place of employment.
5. When higher wages are paid for specialized tasks such as operation of machinery or vehicles, the worker is to be paid such higher wages.
6. No deductions are to be made from the worker's wages except those provided by law.
7. A guarantee that the Mexican will be provided with a statement in Spanish and English, at the end of each pay period, showing the rate of pay, total earnings, hours worked, and itemized deductions.
8. A guarantee that when the contractee is not given the opportunity to work at least four hours a day, because of conditions beyond his control—such as weather, he is to receive subsistence from the employer, which is to be noted on his pay record.

It is evident that if such provisions and others relating to living standards were thoroughly enforced, and if they covered American as well as Mexican migratory farm workers, many abuses would be eliminated. However, as far back as 1951 the President's Committee on Migratory Labor scored the laxity in enforcing contractual provisions and stated:

" . . . official vigilance for the protection of living and working standards of alien farm laborers was largely abandoned in the post-war phase. Responsible United States administrative agencies practically ceased to



Migrant labor camp on the outskirts of Charleston, South Carolina.

Migrant labor camp,
Port Byron, New York.



exert effective effort to preserve the requirements of national immigration policy.

"The same ineffectiveness or laxity that undermined protective standards in the contract spread also to the official scrutiny of the number of foreign laborers that employers claimed they needed."

Although the provisions in international labor contracts are rarely enforced, the Farm Bureau and the growers' contracting associations have attacked the United States Labor Department for the very existence of regulations covering Mexican contract workers. E. S. McSweeney, secretary of the Arizona Cotton Growers' Association, told a Congressional subcommittee in 1958 that "we as farmers or farm organizations" have "become quite bitter about this constant regulation down to the minimum detail." One of the labor camps operated by Mr. McSweeney's association was described by a Labor Department official as "by far the worst. . . . Each unit is about ten by twelve. Four men and a kerosene stove are squeezed into each hut. . . . The door to some of the huts can't be closed from the inside. As a result chickens invade and leave their droppings on the floor. . . . The garbage is infrequently collected. . . ." ²⁷

Other housing for Mexican contract workers has been well described by the workers themselves:

"I am sleeping in a building that used to be a market. We have to cover the holes in the windows and walls with paper. . . . Yesterday I asked for another blanket because of the cold. [The camp boss] said: 'No, you are supposed to have only one.' . . ."

* * *

"Our camp was without water for a week. The contractor said the pump broke . . . we could not wash our clothes and we could not take a bath for a week. . . ."

* * *

"We are installed in a barn which was used for the cows when we moved in. . . . The smell inside . . . is sufficiently repelling. It is strong and fresh cow smell. . . ."

One Mexican national probably expressed the sentiment of the group when he declared:

"These things have to be tolerated in silence because there is no one to defend our guarantees. In a strange country you feel timid. . . ." ²⁸

At the lowest point of agricultural activity in California in 1958 (the week of January 3rd), over thirty thousand Mexican nationals were certified for work. Dr. Ernesto Galarza reported that on January 3rd "Braceros" were "to be found in over eighty crop activities. At times the 'bracero' labor force has represented more than 35 per cent of all seasonal farm workers in California. Many crops are now known as 'dominated crops' because the Mexican Nationals have swamped out the domestic workers. In a 'dominated crop'

the forces of the free labor market don't operate. It is an area of administered wages."

In the course of his testimony at the Public Hearings of the National Advisory Committee on Farm Labor in Washington, D. C. on February 5, 1959, Dr. Galarza vividly described the current operation of the contract labor system in California as follows:

"The moment the bracero is contracted in El Centro, the Association [of growers] is responsible for his food and transportation. At that moment he becomes a cost item in production. He is therefore hired as late in the day as possible and hustled north by bus so that he can arrive in time to do a full day's work. The trip may be six hundred miles long, so it is made at night, with breakfast served on the double and work starting immediately.

"It has taken a series of tragedies to bring home to the people of California how persistent and widespread is the violation of the state's high standards for the transportation of farm workers. Last year twelve braceros were burned to death inside a flaming truck which was also carrying tools, equipment, and a can of gasoline. Two years before that, eight Mexicans were killed and six were injured when a freight train smashed into a panel truck near the city of Salinas. In this instance, the passenger space was not only carrying men—it was carrying two-and-one-half pound hoes which very likely added to the injuries, if not the fatalities of the crash.

"Braceros are imported to do stoop labor in the fields, so the theory goes. The hard and menial tasks of hoeing and grubbing do not attract domestic workers, not even at 70 cents an hour. But the Mexican National, with his captive ways, has captivated employers in nurseries, poultry farms, cattle feed lots, wineries and packing sheds. He is now commonly used to drive tractors, operate sprinkling systems, pack lettuce, thresh beans and do odd repair jobs, youngster sitting and gardening for his boss in town. . . . *The California Farmer*, January 3, 1959, reported that '30 Mexican Nationals daily move 150 quarter-mile lines of 4-inch, 30-foot joint aluminum pipe' on the Mettler Ranch near Bakersfield.

"In the winter of 1957, under heavy pressure from the National Agricultural Workers Union, the Farm Placement Service reluctantly denied permission to use Mexican Nationals in vineyards and orchard pruning. Hundreds of jobs were thus made available to domestic workers. The domestic farm labor force proved entirely sufficient and satisfactory, and this was recognized by the Farm Placement Service itself. In the winter of 1958-59 the same domestic labor force was available, but the Farm Placement Service declared a shortage of pruners. Nationals were certified and domestics were displaced.

"Workers who are not free to shop about for the best job available have nothing to say about wage policies. Thus, when the commercial wineries of the San Joaquin Valley studied how to cut their grape harvesting costs, they changed the method of payment. Instead of paying by the box, usually nine cents, they paid by the drum. Grapes were dumped into a drum holding from eight to ten boxes. The rate of pay reported by some Nationals was 45 cents a drum—a loss of 50 per cent in wages.

"Agriculture is a hazardous occupation. Both workers and employers



On the outskirts of Palatka, Florida on the way north, preparing to rest for the night.



Stop for the night.

in other industries must make persistent efforts to lessen the hazards and form work habits of safe performance. But in the flexible, ever-shifting Mexican farm labor force, conditions work in the opposite direction. For in the last analysis what the [growers'] associations want is an unstable labor force, whose members constantly change. Thus the bonds of common interest, experience, and cooperation are kept at a minimum, even though part of the price is paid in limb and life.

"This was brought out in an incident in a strawberry field three years ago. A crew of six Nationals was spraying the plants with a deadly insecticide called Parathion. None of them had masks. They were asked if they knew what they were doing. One of the men replied that they were 'putting a little powder' on the field, adding that 'it is somewhat molesting' because 'it provokes us to cough sometimes.' The poisons reduce the cholinesterase count in the blood which in turn reduces nerve impulses in such functions as breathing, causing death."

Nationals had even been used, he continued, as strike breakers when domestic workers had organized to improve their conditions.

"We have seen Mexican Nationals taking the places of striking domestic workers, under armed guard, in the cotton country of the Central Valley and in the tomato fields of Tracy and Stockton.

"With respect to union-breaking, the classic example is the strike of the melon pickers of the Imperial Valley, which my Union organized and directed in 1925. We saw there the spectacle of five thousand Mexican Nationals certified by the Secretary of Labor during the critical phase of the strike. We found the Mexican Consul advising his government that the certification was proper because the strikes affected 'only a few ranches.'"

"The Wetback": A Fugitive

In addition to the Mexicans brought legally to this country, a large number enter illegally each year to be employed by farm operators. These workers have no rights at all, since they are illegally in the United States, and, therefore, they are exploited to the extreme degree. A federal commission has said of the "wetback":

"The 'wetback' is a hungry human being. His need of food and clothing is immediate and pressing. He is a fugitive and it is as a fugitive that he lives. Under the constant threat of apprehension and deportation, he cannot protest or appeal no matter how unjustly he is treated. Law operates against him, but not for him. Those who capitalize on the legal disability of the 'wetbacks' are numerous. . . ." ²⁹

"Wetbacks" may live along roadside ditches and huddle in shacks with no sanitary facilities, and may work for as little as fifteen cents an hour. They displace domestic workers, of course, and they have been known to bring in contagious diseases on occasion because of their illegal entry without a health examination.

Federal enforcement of immigration laws is the sole direct solution to the

"wetback" problem in the United States. Such law enforcement has been extremely lax in the past. American aid to rural Mexico to help alleviate the terrible poverty that forces these people over the border in search of a pitance would be of help in solving the "wetback" problem.

Citizens Act

Some examples of positive action are to be found in Pennsylvania where an effective citizens' committee was organized to bring about reforms in the treatment of the thousands of migratory farm workers brought into that State. The Pennsylvania Citizens' Committee on Migratory Labor was organized as a result of the extensive investigation of labor camps and working conditions in the State undertaken in 1951 and 1952 by the NAACP and Dr. Cyrus Karraker of Bucknell University. These investigations resulted in a series of dramatic exposés which received widespread public attention. The Pennsylvania Citizens' Committee has been responsible for a number of significant reforms, among them the establishment of day-care centers for the children of migratory workers in Potter County, which has the greatest concentration of migrants in Pennsylvania.

A limited number of special summer schools for the children of migrant workers have been established in Rochester, New York; Oak Center, Wisconsin; Wiggins, Colorado; Bay County, Michigan; and Des. Plaines, Illinois.

Enlightened farmers in Kings Ferry and Cutchogue, New York, have attempted to build adequate model labor camps and day-care centers, while some large processors in Maryland and New Jersey have donated money and buildings for child-care centers.

However, these few valuable and constructive projects, which have been the result of work by dedicated volunteer groups, are inadequate and isolated and do not begin to deal seriously with the basic issues which are clearly the responsibility of State and Federal Governments.

Administrative Action

Secretary of Labor James Mitchell recently acknowledged that even without any new legislation, "there are five things the Government can do within the limits of existing authority which would contribute substantially to alleviating the plight of the American farm worker.

"First, the Government can return to the grower the responsibility for recruiting and retaining a labor supply. The Government has in effect guaranteed the grower a supply of labor, and in many instances this guarantee has been given without adequate consideration of the wages and working conditions offered by the grower. . . .

"Second, it can restrict the use of the public employment office facilities of the Federal-State Employment Service system to the use of growers whose wages, working conditions, housing and other arrangements are not substandard. . . .

"Third, the Government can revise its procedures, eliminate the loopholes, and substantially tighten up its enforcement of the provisions of Public Law 78 so that the present adverse effect of the importation of Mexican Nationals can be minimized. . . .

"Fourth, the Government can apply to other foreign workers such as British West Indians, Bahamians, Filipinos, Japanese, and Basque sheep herders, the kind of protection and standards that the Congress has already prescribed with respect to Mexican nationals. In doing so the Federal Government should adhere to the recommendations on this subject of the International Labor Office—recommendations which our Government helped to formulate but which as yet it has not followed, at least insofar as they apply to those other categories of foreign workers. . . .

"Fifth, those State Governments which have already established the machinery for licensing and regulating labor contractors and crew leaders could apply the same standards to them as should be applied to the operations of the Federal-State Employment Service system with reference to serving growers. . . ."

But when the U. S. Department of Labor held public hearings in Washington on September 10 and 11, 1959 on proposals to establish wage, housing, transportation and other standards for migratory farm workers, the powerful agricultural interests assisted by Secretary of Agriculture Ezra T. Benson sharply attacked any Federal action on behalf of farm labor.

As a result of widespread protest, the U. S. Department of Labor, in September, 1959, proposed minimal requirements for growers using Government employment facilities in recruiting migratory farm workers. "Benson Opposes Farm Job Rules" was the headline of a New York Times report appearing on September 12, which quotes the Secretary of Agriculture's request to "avoid or delay the promulgation of regulations and other action relating to farm labor. . . ." Representatives of the Farm Placement Service from several southern states, including Virginia, denounced the Labor Department's proposals as an "interference with State's Rights."

However, support came from several religious groups and other organizations. The Very Rev. Msgr. George C. Higgins, director of the Social Action Department of the National Catholic Welfare Conference asserted:

"Those who oppose the regulations apparently have left no stone unturned in their efforts to kill the regulations. It is a matter of public knowledge that they have instigated a flood of mail—they have gone to the Congress and to the White House."

Necessary Legislative Action

The responsible national and local organizations concerned with migratory farm labor in the United States have agreed on the following 14-Point legislative program as realistic and vitally necessary:

1) The use of the public employment facilities of the Federal-State Employment System should be restricted to growers whose wages, housing and working conditions meet minimum standards.

2) The protections and standards currently recognized as necessary in Puerto Rican and Mexican National contracts should cover all migrant workers, foreign and domestic. Such standards should not be lower than those recommended by the International Labor Office.

3) The Fair Labor Standards Act should include farm workers in its provisions, particularly in the minimum wage provisions. It should be amended to extend child labor protection to children outside as well as during school hours. Complementary state legislation is needed.

4) The Labor Management Relations Act should protect the right of farm workers to organize and bargain collectively. The organization of farm workers should be encouraged.

5) Crew leaders and labor contractors should be licensed on a national basis.

6) Ways of extending the Unemployment Compensation Act to cover farm workers should be studied.

7) Federal aid should be extended to help states in encouraging improvement of housing for migrants and extension of health and welfare services to cover migrants. Federal financial aid should be made available specifically for the construction and renovation of migrant farm labor camps. Congress should direct the Department of Health, Education and Welfare to supplement existing grants to the several states, making available money for direct relief grants to migrants, with eligibility for such grants not dependent upon the recipient's residence status in any particular state.

8) State legislation should be enacted to carry out the recommendations of the President's Committee on Migratory Labor in the fields of housing and transportation, and to extend compulsory Workmen's Compensation to cover farm workers.

9) The states should be encouraged to provide adequate education and child care for migrant children. Federal aid should be supplied where necessary to make this possible.

10) Congress should authorize an investigation of the foreign-labor program by a responsible committee representing the public, employers and labor.

11) A program for rural redevelopment should be enacted by the Congress with broad scope to wipe out "depressed areas" through land conservation, natural resources and industrial development, together with education, vocational guidance and training for people living in rural communities.



Workers interviewed by NAACP Representative in Zellwood, Florida—the heart of the citrus processing industry.





The bus breaks down, near Orlando, Florida.



12) Interstate Commerce Commission regulations affecting the transportation of migrants should be amended to include an "out-of-service" provision to prevent a vehicle transporting migrants from operating if its mechanical condition is to be a likely cause of an accident or breakdown.

13) Congress should direct the United States Department of Labor to establish and operate, in cooperation with the several states, a federally financed interstate system of highway rest stops for migrants.

14) Congress should direct the Department of Labor to establish a Bureau of Migratory Farm Labor. It should assign to this Bureau primary responsibility for raising the living standards of migratory labor. Such a Bureau should have a clear directive as to its responsibilities in housing, transportation, child labor, minimum wages and other worker protections, child care, registration of crew leaders, health, welfare, and all other matters relating to agricultural labor.

The enactment of these recommendations into law and vigorous enforcement would result in basic changes in the intolerable conditions which characterize migratory labor in the United States.

Every local branch and state conference of the National Association for the Advancement of Colored People, as well as churches, trade unions, civic

organizations and all other groups with a commitment to social justice must vigorously work for the adoption of these proposals by the Congress and, where indicated, also by state legislatures.

It is necessary to mobilize broad public support for these recommendations and to make American citizens aware of the social conditions which prevail in the most neglected part of the national economy.

There have been innumerable studies and fact-finding commissions; committees of the Congress and of various state legislatures have conducted untold investigations; and eight years ago a Presidential Commission made a comprehensive report to the White House. There have been interminable conferences, discussions, speeches, monographs and articles and pious statements by public officials.

What is clearly needed now is broad and effective action. Action by Government; action by enlightened growers and the management of the vast food processing and packing corporations of this country; action by organized labor; action by all the responsible elements in American society to effect fundamental changes in the recruiting, organization and allocation of the nation's agricultural manpower resources, and to secure a basic reorganization of the system of migratory farm labor which will be in the interests of the entire community.





Along the road.
On the journey to the North.

REFERENCES

1. Address by Frank P. Graham at the National Sharecroppers Fund Conference, New York City, November 13, 1957.
2. *Migratory Labor in American Agriculture*, Report of the President's Commission on Migratory Labor, 1951.
3. Ibid.
4. Allan Keller, Series on Migratory Labor, New York *World Telegram and Sun*, week of September 8, 1953.
5. "Out of Their Poverty" by Joyce L. Kornbluh and Hyman H. Bookbinder.
6. Final Report, 1958, Pennsylvania Migratory Labor Program, Harrisburg, Pennsylvania, January, 1959.
7. "The Forgotten People" by Paul Jacobs, *The Reporter Magazine*, January 22, 1959.
8. Ibid.
9. "Out of Their Poverty" by Joyce L. Kornbluh and Hyman H. Bookbinder.
10. San Jose (California) *Mercury*, January 23, 1958.
11. Newark (New Jersey) *Star Ledger*, January 7, 1959.
12. Allan Keller, Series on Migratory Labor, New York *World Telegram and Sun*, week of September 8, 1953.
13. "Our Miserable Million" by Theodore Irwin, *Coronet Magazine*, September, 1958.
14. *Migratory Labor in American Agriculture*, Report of the President's Commission on Migratory Labor, 1951.
15. "Our Miserable Million" by Theodore Irwin, *Coronet Magazine*, September, 1958.
16. "The Labor Movement Cripples a Union" by Paul Jacobs, *The Reporter Magazine*, November 1, 1956.
17. "Home is Where They Find It," National Consumers Committee for Research and Education, Inc., Cleveland, Ohio, February, 1958.
18. *Migratory Labor in American Agriculture*, Report of the President's Commission on Migratory Labor, 1951.
19. *Status of Agricultural Workers Under State and Federal Labor Laws*, U. S. Department of Labor, Bureau of Labor Standards, Washington, May, 1958.
20. *Down on the Farm: The Plight of Agricultural Labor*, New York, 1955.
21. "Sweatshops Under Blue Skies" by Sol Markoff, *AFL-CIO American Federationist*, October, 1957.
22. Public Hearings, National Advisory Committee on Farm Labor, Washington, February 5, 1959.
23. Allan Keller, Series on Migratory Labor, New York *World Telegram and Sun*, week of September 8, 1953.
24. *Status of Agricultural Workers Under State and Federal Labor Laws*, U. S. Department of Labor, Bureau of Labor Standards, Washington, May, 1958.
25. Public Hearings, National Advisory Committee on Farm Labor, Washington, February 5, 1959.
26. *The Condition of Farm Workers in 1957*, Annual Report of the National Sharecroppers Fund, Inc., New York.
27. "The Forgotten People" by Paul Jacobs, *The Reporter Magazine*, January 22, 1959.
28. *Strangers in Our Fields*, Based on a Report Made Possible Through a Grant-in-Aid From The Fund For The Republic, Washington, 1956.
29. *Migratory Labor in American Agriculture*, Report of the President's Commission on Migratory Labor, 1951.

Migrant Labor Blasted

minimum age of 14 for agricultural work during school season." Hill identified the boy as ms.

Goodrich Farm in Wheeler, run by a laborer Hosie Brown, Marriane, Ga., we found two for the camps," Hill said. "Here, withheld

as 50 cents for a pack of cigarettes, Brown deducting this," Hill said. "Brown deducts money for their alleged living quarters and charges them for transportation."

Hill described a camp he said was operated by Rinaldi & Son at Martville RD 1 in Cayuga County as "literally a concentration camp."

"This camp site is a barbed wire encampment, well fenced area and policed by guards who are here, Benja-

Professor for Report on Migrants

has Negro is conditioned to farm the labor," and "children of working Com-Negro mothers lack the advantages which such children had under slavery," Hill quoted in the report.

Plant Owner Paid Negroes 10¢ an Hour

A furniture manufacturer accused of luring Negro each for a 72-hour week was under arrest today for and other labor laws.

James George, who operates a plant near here, was brought to New Jersey from South and North Carolina after the NAACP brought to New York and Virginia.

Y MAGAZINE

with no money at all, after six small provision for migratory There is no minimum wage law, or age law for seasonal farm workers. One worker quoted in the article revealed that he has earned \$16.20, for picking beans, but over \$14 had been deducted for groceries, rent and transportation.

State Orders Probe Of Migrant 'Abuses'

Camp Owner Doesn't See Why He Shouldn't Probe Camps

The operator of a Long Island migrant farm, who has been accused of exploiting his workers, insisted Saturday he saw "nothing wrong" with his appointment to a state group investigating migrant labor camps.

George H. Stelzer, president of the Eastern Suffolk Cooperative, which operates a camp at Cuttichogue, was named to the 17-member Advisory Council on Seasonal Farm and Food Processing Labor by Gov. Harriman.

State Would Welcome Negro Witness, But—

Albany, Aug. 30 (AP)—A spokesman today that state agencies would welcome writer who charged that he and other at a camp for migrant farm labor in up

But Charles Van Devander, Harriman's press secretary, said he had no idea how funds could be obtained to bring James H. Brun be sub funds The an in charge

NAACP Welcomes Harriman's One-Man Study of Labor Camps

NAACP labor secretary Herbert Hill charged today that the state's growers farm many of these

Calls Migrant Camp Investigator Biased

gator who surveyed conditions in the state's labor camps for an interdepartmental commission was accused of bias against Negroes in a earlier.

through Herbert secretary, went to with its charge ward Thomas, one the State Legislature on Migratory and

ently reported to mental Committee Food Processing is investigation of made after NAACP a survey by The that "50 to 100 of

NAACP Blueprints Labor Camp Cleanup

blueprinted a series of recommendations designed to end or in camps throughout the state.

STATE OPENS INQUIRY ON MIGRANT LABOR

The State Labor Department began an inquiry yesterday into charges that Negro migrant workers in four upstate counties were being forced to live under conditions approaching peonage.

Dr. Isador Lubin, the State Industrial Commissioner, ordered the investigation after he received complaints that the Negroes were being

to the council by the govern 2 directly represent the power ul food processing and cam interests, the large growers de rmers of New York state.

"These include William terman, executive secretary e New York State Canners an eezers Assn., and Joseph ily, executive secretary of th ng Island Agricultural Man ing Assn."

Hill called it "also disturbing t the State Farm Labor Coor ator, Lucian W. Hills, who es as executive secretary of Governor's Interdeparta tal Committee on Migran or, is himself a large grower operates a labor camp in and, N. Y., and uses South Negro migrant workers to st crops on his farm."

Said that James G. Lyons, ant Commissioner of Ag re, who serves as chair f the committee, described gratory farm labor situa "well under control" early nth.

Herbert Hill, the association's labor secretary, has called for "a coordinated, systematic approach by all the state agencies involved to eliminate the abuse suffered by workers brought into this state for harvesting."

The NAACP official, who charged that growers employ migratory farmhands under conditions that constitute "a 20th century slave racket," has been conferring with State Labor Commissioner Lubin on bills to be introduced at the next session.

